

MINUTES

PLANNING BOARD
VILLAGE OF SEA CLIFF
VILLAGE HALL
300 SEA CLIFF AVENUE
SEA CLIFF, NEW YORK 11579

June 13, 2012

Present: Chair	Bruce Treiber
Members	Timothy Driscoll
	Nicholas Virgilio
	Edward Camiolo
Alternate Member	Edward Lieberman
Superintendent of	
Buildings	Andrew Lawrence
Village Attorney	Brian Stolar

The meeting was called to order at 8:00 pm.

The Board opened the public hearing on the application of Kevin and Danielle Feldman, 94 14th Avenue, Sea Cliff, New York to excavate a parking area, increase a curb cut and construct a retaining wall, which work requires site plan approval and a special permit pursuant to Village Code §64-1 to permit a retaining wall in excess of four (4) feet in height. Premises are designated as Section 21, Block 142, Lot 1074 on the Nassau County Land and Tax Map. The Board noted that the application requires approval from the Zoning Board of Appeals and that a hearing is scheduled before the Zoning Board on June 19, 2012. The Board continued the Planning Board public hearing to July 11, 2012 at 8:00pm.

The Board opened the public hearing on the application of Anray Custom Builders, as contract vendee and Barbara Topalian and Christian Berntsen, as

owners, to construct a new dwelling at 90 17th Avenue and to construct retaining walls 5 feet in height and within only 4 feet of each other, where a maximum height of 4 feet is permitted and a minimum distance of 5 feet is required. The proposed construction requires site plan approval pursuant to Village Code chapter 107 and a special permit pursuant to Village Code chapter 64 to permit the retaining walls to be constructed at a height of 5 feet and within 4 feet of the nearest wall. Premises are located at 90 17th Avenue and are designated as Section 21, Block 154, Lots 561 and 562 on the Nassau County Land and Tax Map. The Board noted that the applicant did not submit a landscape plan or any details on the viability of preserving a large tree in the front yard. The Board informed the applicant that a landscape plan is required and that a report should be provided detailing the sustainability of the tree and the construction methods that would be utilized to preserve the tree. The Board continued the public hearing to July 11, 2012 at 8:00pm.

The Board discussed the application of Alan Geller, 16 Sheridan Lane, Sea Cliff, New York for a special permit pursuant to Village Code §64-3 to construct a six foot high bulkhead, and for site plan approval in accordance with Village Code chapter 107. The Board held a public hearing on the application, and adopted a negative declaration with respect to environmental impact, on May 9, 2012. In the interim, the Board received written correspondence from the Nassau County Planning Commission recommending that the Board take such action as it deems appropriate. The Board discussed the Geller application. On motion duly made by Dr. Virgilio, seconded by Mr. Camiolo, and adopted four

votes in favor and Mr. Lieberman (who did not participate in the hearing or in the discussions) abstaining, the Board granted the Geller application to construct a six foot high bulkhead and related structures, as well as site plan approval, subject to the following conditions: (a) the approved bulkhead shall be in the same style, material and location as depicted on the plans in support of the application; (b) no portion of the bulkhead shall extend into any neighboring property or the public right-of-way; (c) a final survey depicting the location of the bulkhead shall be filed with the Village building department for review in accordance with this approval, unless such survey is determined by the building department to be unnecessary; (d) the bulkhead shall comply with all approvals issued by, and requirements of, any other local, state or federal agency with jurisdiction over the construction of the bulkhead and related structures, including any amendments to any such approvals; (e) the applicant shall comply with any requirements of the Superintendent of Buildings and the Village Code, except as modified by this approval; and (f) within the timeframe provided in Village Code §138-1304(A), applicant shall complete the work and obtain all certificates necessary for the work.

The Board discussed the Yam application for a six foot high fence at 333 Carpenter Avenue. The Board previously closed the hearing at the Board's April meeting date. On motion duly made by Mr. Driscoll, seconded by Dr. Virgilio, and adopted four votes in favor and Mr. Lieberman (who did not participate in the hearing or in the discussions) abstaining, the Board determined that the Yam application to construct a six foot high fence is a Type II matter under SEQRA,

that the Board is the lead agency and the application requires no further environmental review, and granted the application, with modifications, subject to the following conditions: (a) the approved fence shall be in the same location as depicted on the plans in support of the application; (b) the fencing shall be constructed in a vinyl white material containing 5 feet in height of solid fencing and 1 foot of white lattice on top of the 5 feet of fencing in the "Illusion" style identified as V3701-6; (c) no portion of the fence shall extend into any neighboring property or the public right-of-way; (d) a final survey depicting the location of the fence shall be filed with the Village building department for review in accordance with this approval, unless such survey is determined by the building department to be unnecessary; (e) the applicants shall comply with all requirements of the Superintendent of Buildings and the Village Code, except as modified by this approval; and (f) within the timeframe provided in Village Code §138-1304(A), applicant shall complete the work and obtain all certificates necessary for the work.

There being no further business, the Chair closed the meeting at 9:35pm.
